



277402

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1/AD/2R	.	Floor: SEN1/C
03/06/2012 11:18 AM	.	03/06/2012 03:06 PM
	.	

Senator Hays moved the following:

Senate Amendment (with title amendment)

Between lines 132 and 133
insert:

Section 2. Paragraph (c) of subsection (4) of section
206.41, Florida Statutes, is amended to read:

206.41 State taxes imposed on motor fuel.—

(4)

(c)1. Any person who uses any motor fuel for agricultural,
aquacultural, commercial fishing, or commercial aviation
purposes on which fuel the tax imposed by paragraph (1) (e),
paragraph (1) (f), or paragraph (1) (g) has been paid is entitled



277402

14 to a refund of such tax.

15 2. For the purposes of this paragraph, "agricultural and
16 aquacultural purposes" means motor fuel used in any tractor,
17 vehicle, or other farm equipment which is used exclusively on a
18 farm or for processing farm products on the farm, and no part of
19 which fuel is used in any vehicle or equipment driven or
20 operated upon the public highways of this state. This
21 restriction does not apply to the movement of a farm vehicle, ~~or~~
22 farm equipment, citrus harvesting equipment, or citrus fruit
23 loaders between farms. The transporting of bees by water and the
24 operating of equipment used in the apiary of a beekeeper shall
25 be also deemed an agricultural purpose.

26 3. For the purposes of this paragraph, "commercial fishing
27 and aquacultural purposes" means motor fuel used in the
28 operation of boats, vessels, or equipment used exclusively for
29 the taking of fish, crayfish, oysters, shrimp, or sponges from
30 salt or fresh waters under the jurisdiction of the state for
31 resale to the public, and no part of which fuel is used in any
32 vehicle or equipment driven or operated upon the highways of
33 this state; however, the term may in no way be construed to
34 include fuel used for sport or pleasure fishing.

35 4. For the purposes of this paragraph, "commercial aviation
36 purposes" means motor fuel used in the operation of aviation
37 ground support vehicles or equipment, no part of which fuel is
38 used in any vehicle or equipment driven or operated upon the
39 public highways of this state.

40 Section 3. Paragraph (a) of subsection (5) of section
41 316.515, Florida Statutes, is amended to read:

42 316.515 Maximum width, height, length.-



43 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;
44 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

45 (a) Notwithstanding any other provisions of law, straight
46 trucks, agricultural tractors, citrus harvesting equipment,
47 citrus fruit loaders, and cotton module movers, not exceeding 50
48 feet in length, or any combination of up to and including three
49 implements of husbandry, including the towing power unit, and
50 any single agricultural trailer with a load thereon or any
51 agricultural implements attached to a towing power unit, or a
52 self-propelled agricultural implement or an agricultural
53 tractor, is authorized for the purpose of transporting peanuts,
54 grains, soybeans, citrus, cotton, hay, straw, or other
55 perishable farm products from their point of production to the
56 first point of change of custody or of long-term storage, and
57 for the purpose of returning to such point of production, or for
58 the purpose of moving such tractors, movers, and implements from
59 one point of agricultural production to another, by a person
60 engaged in the production of any such product or custom hauler,
61 if such vehicle or combination of vehicles otherwise complies
62 with this section. The Department of Transportation may issue
63 overlength permits for cotton module movers greater than 50 feet
64 but not more than 55 feet in overall length. Such vehicles shall
65 be operated in accordance with all safety requirements
66 prescribed by law and rules of the Department of Transportation.

67
68 ===== T I T L E A M E N D M E N T =====

69 And the title is amended as follows:

70 Delete line 8
71 and insert:



277402

72 provisions; amending s. 206.41, F.S.; revising the
73 definition of the term "agricultural and aquacultural
74 purposes" for purposes of the required refund of state
75 taxes imposed on motor fuel used for such purposes;
76 amending s. 316.515, F.S.; revising the Florida
77 Uniform Traffic Control Law to authorize the use of
78 citrus harvesting equipment and citrus fruit loaders
79 to transport certain agricultural products and to
80 authorize the use of certain motor vehicles to
81 transport citrus; amending s. 479.11, F.S.; conforming